

SUPPRESSEDIN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

)

Plaintiff,

)

vs.

)

JOSHUA DAVID NIEMEYER,

)

Defendant.

)

FILED UNDER SEALCLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS OFFICE

CRIMINAL NO.

20-mj-8030-GCS

Title 18 United States Code
Sections 2251(a)**CRIMINAL COMPLAINT**

I, Eric Bowers, Special Agent with the Department of Homeland Security Investigations, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

COUNT 1
PRODUCTION OF CHILD PORNOGRAPHY

On or between February 14, 2020 and March 4, 2020, in Randolph County, within the Southern District of Illinois,

JOSHUA DAVID NIEMEYER,

defendant herein, did knowingly employ, use, persuade, induce, entice, and coerce a minor, herein identified as Minor Victim, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which depicts an adult male placing his mouth on the genitals of Minor Victim, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, all in violation of Title 18, United States Code, Section 2251(a) and (e).

AFFIDAVIT

Your affiant is a Special Agent with the Department of Homeland Security Investigations (HSI), currently assigned to the Springfield, Illinois Field Office and has been so employed since

December 2006. Your affiant is responsible for investigating criminal violations relating to child exploitation and child pornography, including Title 18 U.S.C. Sections 2251, 2252, and 2252A, involving illegal production, distribution, receipt, and possession of child pornography.

The statements contained in this affidavit are based on the investigation of your Affiant, as well as information derived from reports and interviews of the law enforcement officers and witnesses named herein. In support of this Complaint, your Affiant states as follows:

1. As part of an undercover operation, a special agent with the Department of Homeland Security Investigations was monitoring public groups on the social media website KIK. Members of the group traded child pornography files through the internet and discussed abusing children. To join the KIK group, potential members were required to submit a “verification video” that included their face and stated the date.
2. In February of 2020, a member identified as “Josh David” joined the group and publicly shared a video of suspected child pornography to the KIK group.
3. Law enforcement gathered information as to the IP history logs and traced the IP address used by “Josh David” to a property where Joshua NIEMEYER resides, in Steeleville, Illinois, located in the Southern District of Illinois. Law enforcement gathered additional information, including a driver’s license photo of NIEMEYER.
4. Based upon video submitted by “Josh David” to the KIK group, law enforcement determined the verification video appeared to be NIEMEYER.
5. On March 4, 2020, the member known as “Josh David” transmitted a video depicting an adult white male placing his mouth and tongue on the genitals of an approximately [REDACTED] female.
6. On March 5, 2020, NIEMEYER was interviewed by law enforcement. NIEMEYER admitted [REDACTED], and recording the sexual contact. NIEMEYER identified the sexual contact as occurring [REDACTED] within a month

prior to the transmission of the video on March 4, 2020. NIEMEYER identified his cellular phone, an iPhone, as the phone used to make the video recording. NIEMEYER acknowledged transmitting the video of the sexual contact to other individuals through the internet on March 4, 2020.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Eric V. Boers

Eric Bowers
Special Agent, Department of Homeland Security
Investigations

STEVEN D. WEINHOEFT
United States Attorney

Alexandria M. Burns
Alexandria M. Burns
Assistant United States Attorney

State of Illinois)
) SS.
County of St. Clair)

Sworn on the 6th day of March 2020, in East Saint Louis, Illinois, within the Southern District of Illinois.

Gilbert C. Sison